

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:06CR177
Plaintiff,)	
)	
v.)	
)	AMENDED JUDGMENT
DIANA L. CANNON,)	
)	
Defendant.)	
_____)	

This matter is before the court on the government's motion to amend the judgment pursuant to Fed. R. Crim. P. 36, Filing No. 23. *See also* 18 U.S.C. § 3664. On June 19, 2006, the government charged the defendant with bankruptcy fraud in violation of 18 U.S.C. § 152(1). Filing No. 1. The court sentenced the defendant on October 13, 2006, to three years' probation, and the court further ordered restitution in the amount of \$11,300.00 payable to the Chapter 7 Trustee, Rick D. Lange. Filing No. 17. Mr. Lange has notified the government that the Chapter 7 bankruptcy case was closed on March 21, 2005. Mr. Lange has requested that the court-ordered criminal restitution in the amount of \$7,101.27 be paid to the Clerk of Court for the District of Nebraska. The court has carefully reviewed the motion and finds it should be granted.

THEREFORE, THE COURT AMENDS ITS JUDGMENT, Filing No. 17, as follows:

The court-ordered criminal restitution in the amount of \$7,101.27, shall be paid directly to the Clerk of the District Court for the District of Nebraska for pro-rata distribution to the victims of the bankruptcy fraud named in the criminal judgment. The victims are:

Chase Manhattan Bank USA, N.A. \$2,786.33
c/o Chase Bankcard Services, Inc.
P.O. Box 52176
Phoenix, AZ 85072-2176

Retailers National Bank - TARGET \$2,145.50
VISA Retailers Nat'l. Bank
c/o Weinstein, Treiger & Riley, P.S.
2101 Fourth Avenue, Suite 900
Seattle, WA 98121

Discover Financial Services \$1,609.49
P.O. Box 8003
Hilliard, OH 43026

Midland Credit Management Inc. \$ 559.95
5775 Roscoe Court
San Diego, CA 92123

Once the named victims are paid in full, the remaining amount of restitution in the amount of \$4,198.73 should be paid to the Chapter 7 Trustee for further distribution to the general unsecured creditors in the closed bankruptcy case. In the event the named victims are paid in full, the remaining amounts shall be paid to the Rick Lange, Chapter 7 Trustee, for distribution to general unsecured creditors in the bankruptcy case of Diana L. Cannon, BK03-41571. The defendant's bankruptcy case shall be reopened in Bankruptcy Court so that the trustee can proceed to make distribution to general unsecured creditors.

DATED this 1st day of April, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge